| Notice of Allowability | Application No. | pplication No. Applicant(s) | | |
|---|--|---|-----------------------|--|
| | 10/751,380 ZAHNER, J | | OSEPH EDWARD | |
| | Examiner | Art Unit | | |
| | Walter Schlapkohl | 1636 | was | |
| The MAILING DATE of this communication application application application application application and communication applications being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313 | (OR REMAINS) CLOSED in or other appropriate communated of the communated of the community o | this application. If not inclunication will be mailed in du | ded e course. THIS | |
| 1. \boxtimes This communication is responsive to <u>10/16/2006</u> . | | | | |
| 2. 🔀 The allowed claim(s) is/are <u>6-11</u> . | | | | |
| Acknowledgment is made of a claim for foreign priority u All b) Some* c) None of the: Certified copies of the priority documents have Certified copies of the priority documents have Copies of the certified copies of the priority documents have Moreover to priority documents have Certified copies not received: | e been received. e been received in Application | ı No | cation from the | |
| Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. | | a reply complying with the r | equirements | |
| A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which giv | | | NOTICE OF | |
| 5. CORRECTED DRAWINGS (as "replacement sheets") mu | st be submitted. | | | |
| (a) including changes required by the Notice of Draftsper | son's Patent Drawing Review | (PTO-948) attached | | |
| 1) 🗌 hereto or 2) 🗍 to Paper No./Mail Date | _• | | | |
| (b) ☐ including changes required by the attached Examiner Paper No./Mail Date | | | | |
| Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in | 1.84(c)) should be written on the the header according to 37 CFF | e drawings in the front (not t R 1.121(d). | he back) of | |
| DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT | osit of BIOLOGICAL MATE FOR THE DEPOSIT OF BIO | RIAL must be submitted LOGICAL MATERIAL. | . Note the | |
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| Attachment(s) | e Elver | I Data at Amelia di | | |
| 1. X Notice of References Cited (PTO-892) | | ormal Patent Application mmary (PTO-413), | | |
| 2. Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No./N | Mail Date <u>20061215</u> . | | |
| Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date | 7. 🛭 Examiner's A | Amendment/Comment | | |
| Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. 🗌 Examiner's S | B. Examiner's Statement of Reasons for Allowance | | |
| | 9. Other | , | | |
| | | NANCY VOGEL PRIMARY EXAMIN | ER | |

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EXAMINER'S AMENDMENT

Page 2.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Zahner on 12/15/2006.

In the claims:

Claim 6 (Currently amended). An isolated polynucleotide comprising a nucleic acid encoding [[a]] the polypeptide sequence [[as]] set forth in SEQ ID NO:22.

Claim 11 (Currently amended). A Pichia pastoris cell comprising a polynucleotide sequence that encodes a polypeptide sequence as set forth in comprising SEQ ID NO:22.

Claim 12 (Cancelled).

Claim 13 (Cancelled).

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Conclusion

Certain papers related to this application may be submitted to the Art Unit 1636 by facsimile transmission. The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). The official fax telephone number for the Group is (571) 273-8300. Note: If Applicant does submit a paper by fax, the original signed copy should be retained by Applicant or Applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers in the Office.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent applications to view

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the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at (800) 786-9199.

Any inquiry concerning rejections or objections in this communication or earlier communications from the examiner should be directed to Walter Schlapkohl whose telephone number is (571) 272-4439. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Remy Yucel can be reached at (571) 272-0781.

Walter A. Schlapkohl, Ph.D. Patent Examiner
Art Unit 1636

December 20, 2006

NANCY VOGEL PRIMARY EXAMINER